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| Date: | January 27, 2004 | | |
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| Number of pages including cover sheet: | | Phone: | (901) 867-4542 |

Re.: Application of Grusin, et al.

Application no. 09/838,698

Filed: 04/19/01

For: Modular Humeral Head with Eccentric Connector

Art Unit: 3738

Attorney docket no.: 702.93

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Grusin, et al.

Application No. 09/838,698

Filed: April 19, 2001

For: MODULAR HUMERAL HEAD WITH
ECCENTRIC CONNECTORTo: Assistant Commissioner for Patents
Washington, D.C. 20231

) Art Unit: 3738


) Our Ref. 720.93

) Examiner: Barrett, Thomas C.

) I hereby certify that this correspondence is being:

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on this 27th day of January, 2004.

By 
Patricia C. Powell**CERTIFICATION UNDER 37 CFR 1.97(e)(2)**

By his signature, the undersigned acknowledges that: no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Dated: 27 January 2004

Steven M. Reiss
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PTO/SB/08A (08-03)

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

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|------------------------|--------------------|
| Application Number | 09/838,698 |
| Filing Date | 04/19/2001 |
| First Named Inventor | Grusin, et al. |
| Art Unit | 3738 |
| Examiner Name | Barrett, Thomas C. |
| Attorney Docket Number | 702.93 |

Sheet 1 of 1

| U. S. PATENT DOCUMENTS | | | | | |
|------------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | US- 2003/0028253 | 07/10/02 | Stone, et al. | |
| | | US- 2002/0099445 | 01/23/01 | Maroney, et al. | |
| | | US- 6,676,705 | 01/13/04 | Wolf | |
| | | US- 6,558,425 | 05/06/03 | Rockwood, Jr. | |
| | | US- 6,283,999 | 09/04/01 | Rockwood, Jr. | |
| | | US- 6,193,758 | 02/27/01 | Huebner | |
| | | US- 6,045,582 | 04/04/00 | Prybyla | |
| | | US- 5,961,555 | 10/05/99 | Huebner | |
| | | US- 5,944,758 | 08/31/99 | Mansat, et al. | |
| | | US- 5,910,171 | 06/08/99 | Kummer, et al. | |
| | | US- 5,776,194 | 07/07/98 | Mikol, et al. | |
| | | US- 5,549,682 | 08/27/96 | Roy | |
| | | US- 5,314,479 | 05/24/94 | Rockwood, Jr., et al | |
| | | US- 4,919,670 | 04/24/90 | Dale, et al. | |
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| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear |
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